Commission for Public Complaints Against the RCMP

2012–13

Departmental Performance Report

The Honourable Steven Blaney, P.C., M.P.
Minister of Public Safety and Emergency Preparedness

Table of Contents

Chair's Message **1**

Section I: Organizational Overview **3**

Raison d'être 3

Responsibilities 3

Strategic Outcome and Program Alignment Architecture 4

Organizational Priorities 5

Risk Analysis 8

Summary of Performance 9

Expenditure Profile 10

Estimates by Vote 10

Section II: Analysis of Programs by Strategic Outcome **11**

Strategic Outcome 11

Program: Civilian review of RCMP members' conduct in the performance of their duties 11

Program: Internal Services 13

Section III: Supplementary Information **14**

Financial Statements Highlights 14

Tax Expenditures and Evaluations Report 15

Section IV: Other Items of Interest **17**

Organizational Contact Information 17

Endnotes **17**

Chair's Message

I am pleased to present the *Departmental Performance Report* of the Commission for Public Complaints Against the RCMP (CPC) for 2012–13. The report provides an overview of the CPC's work during this fiscal year and discusses the extent to which the CPC has met its objectives, as set out in its 2012–13 *Report on Plans and Priorities*.

In 2012–13, the CPC received its requested interim funding from the Treasury Board's Management Reserve in order to meet the current demands of its existing mandate. With these additional funds, the CPC was able to continue to meet its service standards, conduct investigations into areas of particular concern to the public, conduct trend analysis into complaints, and enhance its outreach capacity.

On June 19, 2013, Bill C-42: *Enhancing Royal Canadian Mounted Police Accountability Act*, received Royal Assent. Bill C-42 creates the Civilian Review and Complaints Commission for the RCMP (CRCC), with an expanded mandate and new responsibilities replacing the existing CPC. The CPC is awaiting the order in council which will bring into force the provisions which create the CRCC.

The mandate of the CRCC will include the existing complaints function, as well as the authority to conduct joint complaint investigations, reviews and hearings with other law enforcement review bodies, conduct reviews of specified RCMP activities, provide enhanced reporting to provinces and territories which contract for RCMP services, undertake research, conduct outreach efforts, and provide independent observers to investigations of serious incidents involving RCMP members.

The past year has been a busy one for the CPC, and I am proud of the contributions we have made to enhancing the effectiveness and accountability of the RCMP. For the past 25 years, our people have been the most important element of our effectiveness, and this will continue to be so for the next 25 years and beyond as they take up the expanded mandate of the new CRCC. I would like to thank them for their excellent work.

Ian McPhail, Q.C.
Interim Chair

Section I: Organizational Overview

Raison d'être

The Commission for Public Complaints Against the RCMP (CPC) is an independent agency created by Parliament and is not part of the Royal Canadian Mounted Police (RCMP). The CPC's fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties, thereby holding the RCMP accountable to the public. The CPC ensures that complaints about the conduct of RCMP members are examined fairly and impartially. Its findings and recommendations help identify, correct and prevent the recurrence of policing problems caused by the conduct of specific RCMP members or by deficiencies in RCMP policies or practices. The CPC has the authority to make findings and recommendations, but cannot impose discipline or make monetary awards to complainants.

Responsibilities

As set out in Part VII of the *Royal Canadian Mounted Police Act* (RCMP Act), the mandate of the CPC is to:

- receive complaints from the public about the conduct of RCMP members;[i]
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- hold hearings and conduct investigations; and
- report findings and make recommendations.

Vision

Excellence in policing through accountability.

Mission

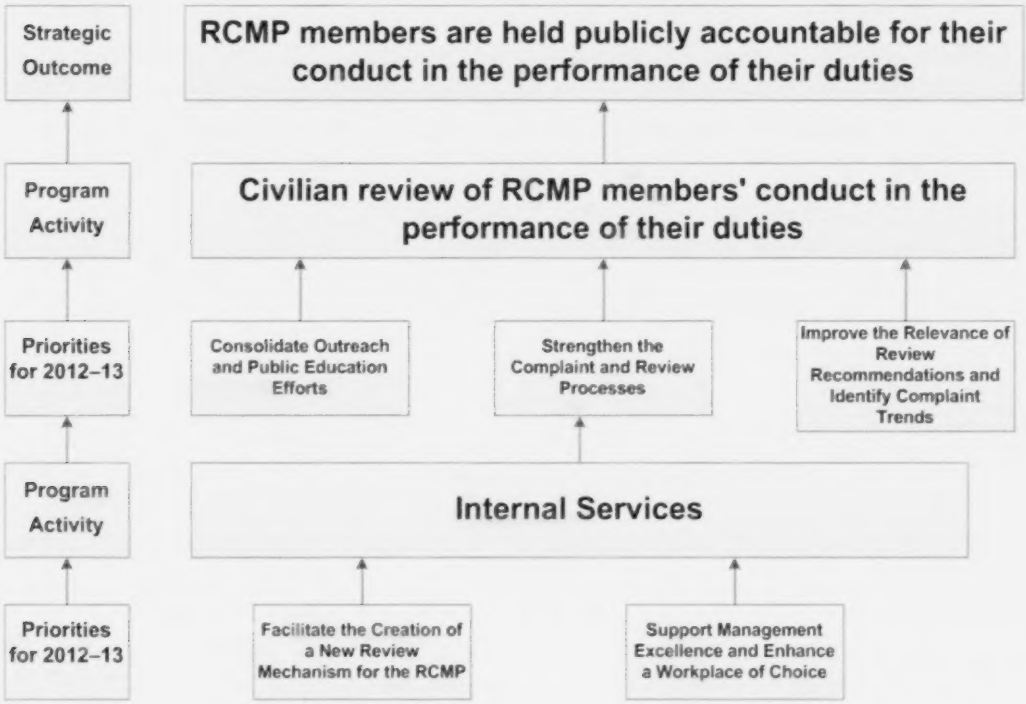
To provide civilian review of RCMP members' conduct in performing their duties so as to hold the RCMP accountable to the public.

Strategic Outcome and Program Alignment Architecture

To effectively pursue its mandate, the CPC aims to achieve the following strategic outcome:

RCMP members are held publicly accountable for their conduct in the performance of their duties.

The following graphic outlines the CPC's Program Alignment Architecture and the priorities it set for 2012–13.


Strategic Outcome
RCMP members are held publicly accountable for their conduct in the performance of their duties
Program Activity
Civilian review of RCMP members' conduct in the performance of their duties
Priorities for 2012–13
Consolidate Outreach and Public Education Efforts
Strengthen the Complaint and Review Processes
Improve the Relevance of Review Recommendations and Identify Complaint Trends
Program Activity
Internal Services
Priorities for 2012–13
Facilitate the Creation of a New Review Mechanism for the RCMP
Support Management Excellence and Enhance a Workplace of Choice

Organizational Priorities

Priority	Type	Strategic Outcome
Consolidate outreach and public education efforts	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.

Summary of Progress

What progress has been made towards this priority?

- The CPC engaged a variety of stakeholders, including:
  - municipal associations;
  - police boards;
  - provincial oversight bodies;
  - Aboriginal groups; and
  - front-line service providers, such as court workers, legal education and information organizations, settlement agencies and special interest groups.
- The CPC also targeted provincial departments responsible for public safety and corrections and visited and made significant progress in Saskatchewan, Manitoba, Nova Scotia and New Brunswick.
- The CPC continued to work with its provincial partners to harmonize police oversight processes to the extent possible under existing law. This includes:
  - creating a "no wrong door" approach to the intake of complaints about the RCMP; and
  - ensuring that Canadians receive the benefit of the expertise and experience of all police oversight bodies across the country.
- The CPC continued working with the Canadian Association of Civilian Oversight of Law Enforcement to advance the principles of civilian oversight of law enforcement.
- The CPC held its annual forum for Canadian heads of police review organizations in order to share best practices, identify emerging issues and enhance working relationships.
- The CPC worked to foster greater understanding of its role among the legal community who may be called upon to provide advice with respect to issues in which the CPC is engaged.
- Engagement with key stakeholder groups is vital to helping increase awareness of an individual's right to make a complaint about the conduct of an RCMP member. The CPC must also provide a service that is open and accessible to the communities it serves, particularly to Aboriginal communities, newly arrived immigrants and other citizens who, for cultural, linguistic or literacy-related reasons, are less likely to know about, or avail themselves of, the public complaint process.
- Although public awareness has continued to increase, the CPC understands that many members of communities policed by the RCMP are not aware that they have recourse to an independent third party in relation to complaints against RCMP members. The CPC will continue to focus on increasing public awareness of its existence.

Priority	Type	Strategic Outcome
Strengthen the complaint and review processes	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.

Summary of Progress

What progress has been made towards this priority?

- CPC's National (complaint) Intake Office processed 3,725 general enquiries, early resolutions, and formal complaints against the RCMP.
- The CPC issued a total of 237 review reports in 2012–13.
- 95% of review reports were finalized within 120 days of receiving the request to review a complaint.
- 89% of final reports after receiving a Commissioner's Notice were completed within 30 days of receiving the Notice.
- Strong complaint and review processes with established service standards enhance the credibility of both the CPC and the RCMP for a timely response to public complaints. The CPC is committed to the continuous improvement of the complaint and review processes.

Priority	Type	Strategic Outcome
Improve the relevance of review recommendations and identify complaint trends	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.

Summary of Progress

What progress has been made towards this priority?

- The CPC continued to track complaint trends with the most common complaint issue relating to RCMP member attitude.
- The CPC released its final reports in its public interest investigation into RCMP workplace harassment and into RCMP member conduct related to the 2010 G8 and G20 Summits.
- The CPC also released final reports in its investigation into the incident in Kamloops RCMP detachment cells, the police-involved shooting of Christopher Klim and into the in-custody death of Cheryl Anne Bouey.
- The CPC remains committed to ensuring that its recommendations prevent policing problems in the future.
- As custodians of the public complaint process, and pursuant to the provisions of the RCMP Act, one of the CPC's goals is to identify opportunities to strengthen police accountability and effect change within the entire complaint system. The CPC's in-depth examinations provide assurance that key systemic areas of concern are thoroughly examined and reported upon publicly.

Priority	Type	Strategic Outcome
Facilitate the creation of a new review mechanism for the RCMP	Previously committed to	RCMP members are held publicly accountable for their conduct in the performance of their duties.

Summary of Progress

What progress has been made towards this priority?

- The CPC was asked to attend the Standing Committee on Public Safety and National Security as part of its study of Bill C-42: *Enhancing Royal Canadian Mounted Police Accountability Act*.
- The CPC was also asked to attend the Senate Standing Committee on National Security and Defence as part of its consideration of Bill C-42.
- The CPC also prepared a business case for Treasury Board outlining how it would meet the mandate requirements of Bill C-42.
- As the national, independent review body for the RCMP, the CPC is uniquely positioned to bring the public's perspective to the legislative proposals. The stronger and more credible the independent oversight and review of the RCMP is, the more credible the Force will be.

Priority	Type	Strategic Outcome
Support management excellence and enhance a workplace of choice	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.

Summary of Progress

What progress has been made towards this priority?

- The CPC has implemented a number of business improvements, including:
  - moving to a digital library;
  - merging Communications and Corporate Services under one director; and
  - streamlining the delivery of administrative support services to operations.
- The CPC implemented the new Web Experience Toolkit designed by the Treasury Board of Canada Secretariat resulting in a website which is simpler and easier to navigate.
- The CPC has also been working towards meeting the Standard on Web Accessibility to ensure that its website is accessible to all Canadians, especially those with disabilities.
- The CPC also maintained an integrated business and human resources plan to support its business objectives.

Risk Analysis

Risk	Risk Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
RCMP Implementation of CPC Recommendations As the CPC's recommendations to the RCMP are not binding, there is a risk that key recommendations will not be implemented.	As planned in the *Report on Plans and Priorities* (RPP), the CPC has maintained its systematic tracking of recommendations made to the RCMP and created an "Outstanding RCMP Policy Commitments" section on its website. The CPC meets regularly with RCMP officials to discuss the manner and timing in which the CPC recommendations are being implemented.	RCMP members are held publicly accountable for their conduct in the performance of their duties.	Improve the relevance of review recommendations and identify complaint trends.
Responding to Major Policing Events The CPC has no control over serious incidents between the RCMP and the public. Such events may impact on workloads across the CPC and have the potential to negatively affect the maintenance of service standards and present budgeting challenges.	As planned in the RPP, the CPC renewed its supply arrangements for specialized investigators, and continued to track workloads within the CPC, and, where needed, reallocated staff to priority areas. The CPC must ensure that it has resources available to respond appropriately to any incidents that may arise throughout the fiscal year. The result is that the CPC in most years does not spend its full appropriation.	RCMP members are held publicly accountable for their conduct in the performance of their duties.	Improve the relevance of review recommendations and identify complaint trends.
Recruitment and Retention of Key Staff Like all small agencies, the CPC faces the risk of not having the necessary human resources, due to retention and recruitment challenges.	As planned in the RPP, the CPC has maintained an effective integrated business and human resources plan and has developed policies to maintain a workplace of choice.	RCMP members are held publicly accountable for their conduct in the performance of their duties.	Support management excellence and enhance a workplace of choice.

Summary of Performance

Financial Resources – Total Departmental ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference (Planned vs. Actual Spending)
5,400	5,400	8,790*	8,011	2, 611

*** The CPC received its requested interim funding from the Treasury Board's Management Reserve in 2012–13 following the completion of its *Report on Plans and Priorities*.**

Human Resources – Full-Time Equivalents (FTEs)

Planned 2012–13	Actual 2012–13	Difference 2012–13
40	58*	18

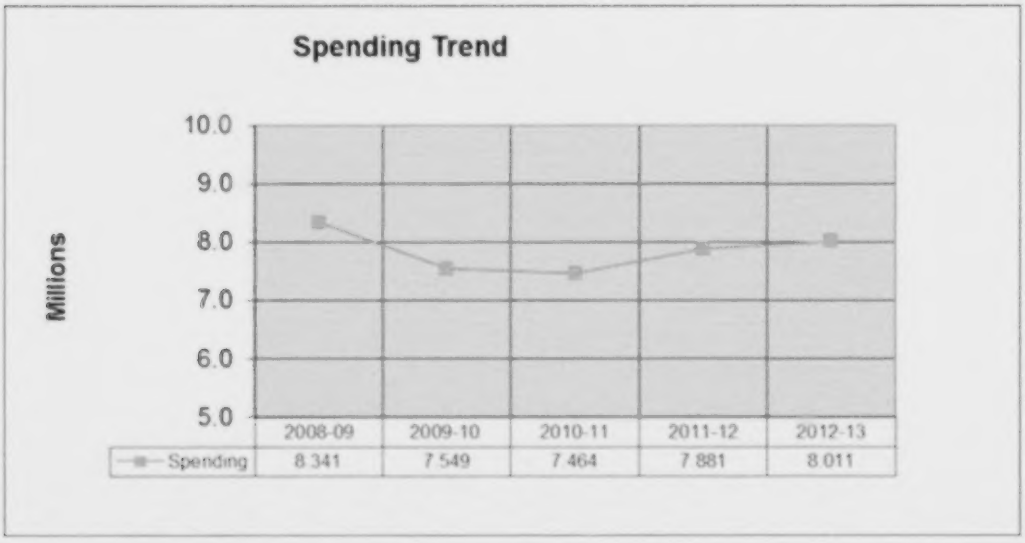
*** The CPC received its requested interim funding from the Treasury Board's Management Reserve in 2011–12 following the completion of its *Report on Plans and Priorities*.**

Performance Summary Table for Strategic Outcome and Program ($ thousands)

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.									
Program	Total Budgetary Expenditures (Main Estimates 2012–13)	Planned Spending			Total Authorities (available for use) 2012–13	Actual Spending (authorities used)			Alignment to Government of Canada Outcomes
		2012–13	2013–14	2014–15		2012–13	2011–12	2010–11	
Civilian review of RCMP members' conduct in the performance of their duties	2,357	2,357	2,357	2,357	4,194	3,127	3,453	3,236	Social Affairs A Safe and Secure Canada
Internal Services	3,043	3,043	3,043	3,043	4,596	4,884	4,428	4,228	
Total	5,400	5,400	5,400	5,400	8,790	8,011	7,881	7, 464	

Expenditure Profile

Departmental Spending Trend



Year-over-year spending has remained steady over the past 3 years. The CPC is awaiting the order in council which will bring into force the provisions contained in Bill C-42 which create the CRCC. The government has indicated that it will increase the existing appropriation level of the CPC by 5 million to meet the demands of the new mandate of the CRCC.

Estimates by Vote

For information on the Commission for Public Complaints' votes and/or statutory expenditures, please see the *Public Accounts of Canada 2013 (Volume II)*. An electronic version of the Public Accounts 2013 is available on the Public Works and Government Services Canada website.

Strategic Environmental Assessment

During 2012–13, the Commission for Public Complaints Against the RCMP did not have any proposals submitted to Cabinet for approval and therefore did not undertake any strategic environmental assessments (SEA) process as per the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals.

Section II: Analysis of Programs by Strategic Outcome

Strategic Outcome

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.		
Performance Indicator	**Target**	**Actual Result**
Recommendations accepted by the RCMP and have been implemented.	100%	The RCMP Commissioner accepted approximately 79% of the CPC's adverse findings and 78% of its recommendations.

Program: **Civilian review of RCMP members' conduct in the performance of their duties**

Program Description

The Commission conducts reviews of complaints received from the public about the conduct of RCMP members in the performance of their duties. When complainants are not satisfied with the RCMP's handling of their complaints, they can request a review of their case by the Commission. In reviewing these complaints, the Commission may conduct hearings and investigations, and reports on its findings and makes recommendations to the RCMP Commissioner and to the Minister of Public Safety and Emergency Preparedness.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
2,357	2,357	4,194	3,127	1,067

Human Resources (FTEs)

Planned 2012–13	Actual 2012–13	Difference 2012–13
28	31	3

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
The percentage of complaints received from the public directly by the Commission is increased.	The percentage of complaints received from the public directly by the Commission is increased.	Annual increase of 5%	Annual increase of 5%

Performance Analysis and Lessons Learned

In 2012–13, the CPC received approximately 75% of all complaints directly from the public with the RCMP receiving the remainder. The CPC's National Intake Office in Surrey, BC, processed 3,725 calls for service in 2012–2013. Of these, 1,890 were enquiries, 138 were issues resolved through early resolution and 1,697 resulted in formal complaints.

The CPC received 233 requests for review and issued a total of 237 review reports in 2012–13. The RCMP Commissioner accepted approximately 79% of the CPC's adverse findings and 78% of its recommendations. The CPC continues to emphasize its internal performance-based service standards, consistent with the view that to be effective, reviews must be timely. It is in furtherance of this principle that the CPC recommends, as it has in the past, that the RCMP apply service standards to its response times, with the goal in mind that the complaint investigation and review be completed within one year.

Regardless of whether or not a complaint has been investigated, reported on, or otherwise dealt with by the RCMP, the Chair may investigate a complaint concerning the conduct of a member where he deems it in the public interest. In addition, a Chair-initiated complaint can be made under Part VII of the RCMP Act. Where the Chair becomes aware of the conduct of any RCMP member and, based on the information available, considers that it would be in the public interest for RCMP member conduct to be investigated.

In 2012–13, the CPC completed five Chair-initiated complaints and public interest investigations. The full final reports of its investigations into RCMP workplace harassment, RCMP member conduct related to the 2010 G8 and G20 Summits, the incident in Kamloops RCMP detachment cells, the police-involved shooting of Christopher Klim and into the in-custody death of Cheryl Anne Bouey, including all recommendations, can be found on the CPC website. The CPC was asked by three parliamentary committees to present its findings in its investigation into issues of RCMP workplace harassment: the Standing Senate Committee on National Security and Defence, the Standing Committee on Public Safety and National Security and the Standing Committee on the Status of Women.

The CPC has steadily increased its outreach capability. Engagement with key stakeholder groups, such as social and legal services organizations, municipal associations, police boards, provincial oversight bodies and Aboriginal groups, is vital to helping increase awareness of an individual's ability to initiate a complaint against the conduct of an RCMP member.

The CPC has also continued to work with its provincial partners to harmonize police oversight processes to the extent possible under existing law. This includes creating a "no wrong door" approach to the intake of complaints about the police and ensuring that Canadians receive the benefit of the expertise and experience of all police oversight bodies across the country.

Program: **Internal Services**

Program Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not those provided specifically to a program.

Financial Resources (S thousands)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
3,043	3,043	4,596	4,884	-288

Human Resources (FTEs)

Planned 2012–13	Actual 2012–13	Difference 2012–13
12	28	16

Section III: Supplementary Information

Financial Statements Highlights

Condensed Statement of Operations and Departmental Net Financial Position

Commission for Public Complaints Against the RCMP Condensed Statement of Operations and Departmental Net Financial Position (Unaudited) For the Year Ended March 31, 2013					
($ thousands)	**2012–13 Planned Results (restated)**	**2012–13 Actual**	**2011–12 Actual**	**$ Change (2012–13 Planned vs. Actual)**	**$ Change (2012–13 Actual vs. 2011–12 Actual)**
Total expenses	6,234	9,409	8,141	3,175	1,268
Total revenues	10	8	8	(2)	0
Net cost of operations before government funding and transfers	6,234	9,409	8,141	3,175	1,268
Departmental net financial position		(10)	226		

Condensed Statement of Financial Position

Commission for Public Complaints Against the RCMP As at March 31, 2013			
($ thousands)	**2012–13**	**2011–12**	**$ Change**
Total liabilities	1,155	786	631
Total financial assets	593	309	284
Departmental net debt	477	844	(367)
Total non-financial assets	552	703	(151)
Departmental net financial position	(10)	226	(236)

Financial Statements

The CPC's Financial Statements for the reporting period can be viewed on the CPC's website.

Tax Expenditures and Evaluations Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations* publication. The tax measures presented in the *Tax Expenditures and Evaluations* publication are the sole responsibility of the Minister of Finance.

Section IV: Other Items of Interest

Organizational Contact Information

By e-mail:

complaints@cpc-cpp.gc.ca (for complaints)
reviews@cpc-cpp.gc.ca (for reviews)
reviews@cpc-cpp.gc.ca (for general enquiries)

By telephone:

From anywhere in Canada: 1-800-665-6878
TTY: 1-866-432-5837

By fax:
604-501-4095

By mail:
P.O. Box 88689
Surrey, BC V3W 0X1

On the Web:

http://www.cpc-cpp.gc.ca/index-eng.aspx

Endnotes

[1] Note: The term "members" as used in this document includes all persons appointed under the RCMP Act, i.e. both regular and civilian members of the RCMP.